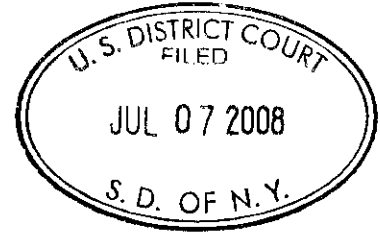


SCANNED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_X

ALBACEILB MARKS,

Plaintiff,

-against-

Civil Judgment

08 Civ. 3638 (KMW)

NEW YORK CITY DEPARTMENT OF  
CORRECTIONS; MEDICAL STAFF,  
PA, NURSES ET AL.; NEW YORK CITY  
DEPARTMENT OF CORRECTIONS  
WATCH COMMANDER; TOUR  
COMMANDER; CAPTAINS ET AL.,  
NEW YORK CITY DEPARTMENT OF  
CORRECTIONS CORRECTIONAL  
OFFICERS

Defendants.

\_\_\_\_\_X

By order dated April 16, 2008, plaintiff was directed to file an amended complaint with this Court within 60 days. The Clerk of Court sent plaintiff a copy of the order to plaintiff's last known address, but it was returned as undeliverable on April 29, 2008. Plaintiff has not communicated with the Court, nor can the Court locate him. Since plaintiff has failed to file an amended complaint as specified or otherwise prosecute this action it is,

ORDERED, ADJUDGED AND DECREED: That the complaint is dismissed. 28 U.S.C. § 1915(e)(2)(B)(ii). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith.

SO ORDERED.

*Kimba M. Wood*

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KIMBA M. WOOD  
Chief Judge

Dated: JUL 07 2008  
New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON \_\_\_\_\_.